

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

RICHARD DRESSER and MARILYN  
DRESSER as Next Friend of MIKHAIL  
ROBERT DRESSER, a Minor Child,

Case Number 03-CV-10083-BC  
Honorable David M. Lawson

Plaintiffs,

v.

CRADLE OF HOPE ADOPTION  
CENTER, INC., a Maryland corporation,

Defendant.

---

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFFS'**  
**MOTION IN LIMINE**

On June 17, 2005, the plaintiffs filed a motion *in limine*. In their motion, the plaintiffs ask this Court to preclude evidence of negligence on the part of Marilyn and Richard Dresser that may have contributed to the injuries of Mikhail Dresser.

E.D. Mich. LR 7.1(a) requires a movant to seek concurrence in the relief requested before filing a motion with this Court. If concurrence is obtained, the parties then may present a stipulated order to the Court. If concurrence is not obtained, Local Rule 7.1(a)(2) requires that the moving party state in the motion that "there was a conference between the attorneys . . . in which the movant explained the nature of the motion and its legal basis and requested but did not obtain concurrence in the relief sought [ ] or . . . despite reasonable efforts specified in the motion, the movant was unable to conduct a conference." E.D. Mich. LR 7.1(a)(2).

The plaintiffs do not state in their motion that concurrence was sought in the relief requested from the defendant before filing the motion. “It is not up to the Court to expend its energies when the parties have not sufficiently expended their own.” *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 101 (D. Mass. 1996). The plaintiffs have filed their motion in violation of the applicable rules.

Accordingly, it is **ORDERED** that the plaintiffs’ motion in limine [dkt # 124] is **DENIED** without prejudice.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: June 24, 2005

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 24, 2005.

s/Tracy A. Jacobs